

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Sri K.Gopinadh, Town Planning Building Overseer, formerly worked at Municipal Corporation of Visakhapatnam – Departmental Proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Imposition of penalty under Rule 9 of A.P.Civil Services (CC&A) Rules,1991– Appeal allowed – Further action dropped - Orders – Issued.

MUNICIPAL ADMN & URBAN DEVELOPMENT (Vig.III) DEPARTMENT

G.O.Ms.No. 860

Dated:20/12/2008
Read the following:

1. From the Director General, Anti Corruption Bureau, Hyderabad, Letter No.143/RCA-WVP/99-S11, Dated: 17-04-2003.
2. G.O.Rt.No.1232, M.A.&U.D.(V2)Dept.,Dated:12-09-2003.
3. Written Statement of Defense, Dated:31-12-2003 from Sri K.Gopinadh, T.P.B.O., formerly worked at Municipal Corporation of Visakhapatnam.
4. G.O.Rt.No.172,M.A.&U.D.(V2)Dept., Dated:21-02-2004.
5. From Sri D.Venkata Ratnam, the then City Planner, Municipal Corporation, Rajahmundry & Inquiry Officer, Letter Roc.N.6516/2002-G1, Dated:08-09-2004.
6. Govt. Memo No:9022/Vig.III/2003-7, MA & UD (Vig.III) Dept., Dated: 18-02-2005.
7. G.O.Ms.No.452, MA & UD (Vig.III) Dept., Dt.28.08.2006.
8. G.O.Ms.No.124, MA & UD (Vig.III) Dept., Dt.01.03.2007.
9. Representation, Dated:19-11-2008 from Sri K.Gopinadh, T.P.B.O., formerly worked at Municipal Corporation, Visakhapatnam.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, Hyderabad, has furnished a report on the allegations of disproportionate assets to the known sources of income against Sri K.Gopinadh, Town Planning Building Overseer, formerly worked at Municipal Corporation, Visakhapatnam and recommended to prosecute him for the said offence punishable under sub-section (2) of Section 13 read with clause (e) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force. The D.G., A.C.B. has also recommended to initiate Departmental action against him as he did not obtain prior permission for the acquisition of any of the assets acquired by him or in the name of his family members. Accordingly, in the reference 2nd read above, Government have framed charges against Sri K.Gopinadh, Town Planning Building Overseer, formerly worked at Municipal Corporation of Visakhapatnam. Sri K.Gopinadh, Town Planning Building Overseer has submitted his written statement of defense to the said charges vide reference 3rd read above.

2. After examining the written statement of defense of the Charged Officer, Government have appointed Sri D.Venkata Ratnam, the then City Planner, Municipal Corporation, Rajahmundry, as Enquiry Officer to inquire into the charges framed against the charged officer under sub-rule (2) of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 vide reference 4th read above.

3. In the reference 5th read above, the Inquiry Authority has submitted enquiry report wherein the Inquiry Authority has stated that out of three charges framed against the charged officer, first charge was held not proved and the remaining two charges were held partly proved. Accordingly, after examination of the Inquiry report, a copy of the Inquiry Report has been communicated to the Accused Officer for his representation on the Inquiry Report in terms of Rule 21 (3) of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 vide reference 6th read above. The charged officer has submitted his explanation on the Inquiry Report.

(P.T.O.)

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4. In the reference 7th read above, Government have withdrawn the prosecution issued vide G.O.Ms.No.425, MA & UD (V2) Dept., Dated 12.9.2003 against the charged officer.

5. In the reference 8th read above Government have imposed the punishment of reversion to a lower Post/Grade i.e., from Town Planning Building Overseer to Tracer on Sri K.Gopinadh, T.P.B.O., formerly worked at Municipal Corporation of Visakhapatnam under Rule 9 (vii) of the Andhra Pradesh Civil Services (CC &A) Rules, 1991. Aggrieved by the above orders, he has filed O.A.No.1230/2007 before the A.P. Administrative Tribunal. The A.P.A.T. in its interim orders dated 12.3.2007 passed orders of status-quo. Government has filed Counter on 08.05.2007.

6. In the reference 9th read above, Sri K.Gopinadh, the then T.P.B.O. Visakhapatnam Municipal Corporation has submitted a Review Petition to Government, wherein he has requested the Government to examine his case sympathetically and excuse him as a first instance and exonerate him from the charges and punishment and drop further action against him. He has also informed that, in obedience to the Government Memo. Dated:9.5.2008, he himself has withdrawn the Court Case with an intention to consider his review petition favorably.

7. After careful examination of the matter, Government have decided to allow the Review Petition duly exonerating him from the charges and drop further action against him. Accordingly, Government hereby exonerate Sri K.Gopinadh, the then Town Planning Building Overseer, Visakhapatnam Municipal Corporation (presently Town Planning Supervisor, Visakhapatnam Municipal Corporation) and drop further action against him in the matter.

8. The orders issued in the reference 8th read above, are hereby rescind.

9. The Director of Town & Country Planning, Hyderabad, shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.C.V.S.K.SARMA

PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K.Gopinadh, the then Town Planning Building Overseer, Municipal Corporation of Visakhapatnam presently Town Planning Supervisor, Visakhapatnam **through** the Director of Town & Country Planning, A.P., Hyderabad.

The Director of Town & Country Planning, A.P., Hyderabad.

Copy to SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER